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6 Attorneys for Defendants
MARK GARIBALDI and THE GARIBALDI COMPANY

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10
11 EDITH MACIAS, individually and on
behalf of similarly situated individuals;
12 HOTON DURAN; TIFFANY HUYNH;
AURA MENDIETA; WILLIAM
13 LABOY; MIGUEL ACOSTA; CRUZ
ACOSTA; CUAUHTEMOC TORAL;
14 and TERESA VILLEGAS,

15 Plaintiffs,

16 vs.

17 THOMAS J. TOMANEK; and MARK
GARIBALDI, individually and doing
18 business as THE GARIBALDI
COMPANY,

19 Defendants.
20

CASE NO. C07 3437 JSW

STIPULATION AND [PROPOSED]
ORDER RE RESCHEDULING
HEARING DATE FOR MOTIONS TO
DISMISS, AND RESCHEDULING
INITIAL CASE MANAGEMENT AND
ADR DEADLINES

21
22 STIPULATION

23 WHEREAS,

24
25 1. The two Defendants herein have each filed motions to dismiss, and due to a
26 misunderstanding as to the availability of hearing dates, set the hearing on those motions
27 for February 15, 2008 at 9:00 a.m.

2. The parties wish to have those motions heard earlier than currently scheduled, as set forth below.

3. Pursuant to the court's Order Setting Initial Case Management Deadlines and ADR Deadlines, filed on June 29, 2007 (Document 2), the following deadlines and hearing dates were set:

– 9/28/07 Last day to confer re disclosures, ADR, etc. and last day to file Joint ADR Certification, etc.

– 10/12/07 Last day to file Rule 26(f) Report and Case Management Statement

– 10/19/2007 Initial Case Management Conference (1:30 p.m.)

4. All parties herein have agreed, through their respective attorneys of record, that they would like to re-set the hearing date on the motions to dismiss, and would also like to re-set the above-referenced deadlines and initial CMC hearing date to a date after the hearing on the motions to dismiss.

THEREFORE, all parties hereby stipulate and jointly request that the court re-set the deadlines and hearing dates listed in paragraphs 1 and 3 above as follows:

New hearing date/time for motions to dismiss: November 30, 2007 at 9:00 a.m.

New last day to confer re disclosures and
ADR and discovery plan, and file ADR
Certification with Stip to ADR: December 14, 2007

Last day to file Rule 26(f) Report, Case Management Statement, etc.	December 21, 2007
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1 New date for Initial Case
2 Management Conference

January 11, 2008 at 1:30 p.m.

3 The above is SO STIPULATED.

4
5 DATED: 9-20-07

BRANCART & BRANCART


6
7 
8 ELIZABETH NOONAN BRANCART
9 Attorneys for Plaintiffs

10
11 DATED: _____

ALLMAN & NIELSEN

12
13 SARA B. ALLMAN
14 Attorneys for Defendant Thomas J. Tomanek

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17 DATED: 9/20/07

18 FARBSTEIN & BLACKMAN, APC
19 
20 JOHN S. BLACKMAN
21 Attorneys for Defendants Mark Garibaldi and
22 The Garibaldi Company

23 ORDER

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25 Good cause appearing therefor, the court orders changes to the scheduling in this
26 case as follows:
27
28

1 New date for Initial Case
2 Management Conference

January 11, 2008 at 1:30 p.m.

3 The above is SO STIPULATED.
4


5 DATED: _____

BRANCART & BRANCART

6
7
8 ELIZABETH NOONAN BRANCART
Attorneys for Plaintiffs
9

10
11 DATED: 9-20-07

ALLMAN & NIELSEN, P.C.

12
13 
14 SARA B. ALLMAN
Attorneys for Defendant Thomas J. Tomanek
15

16
17 DATED: _____

FARBSTEIN & BLACKMAN, APC

18
19
20 JOHN S. BLACKMAN
Attorneys for Defendants Mark Garibaldi and
The Garibaldi Company
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22
23 ORDER
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25 Good cause appearing therefor, the court orders changes to the scheduling in this
26 case as follows:
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STIPULATION AND [PROPOSED] ORDER
RE RESCHEDULING HEARING DATE FOR
MOTIONS TO DISMISS AND INITIAL CASE
MANAGEMENT AND ADR DEADLINES

1 New hearing date/time for motions to dismiss: November 30, 2007 at 9:00 a.m.
2 [or: _____]
3
4 New last day to meet and confer re initial
5 disclosures, early settlement, ADR process
6 selection, and discovery plan December 14, 2007
7 [or: _____]
8
9 New last day to file Rule 26(f) Report,
10 complete initial disclosures or state
11 objection in Rule 26(f) Report
12 per Standing Order December 21, 2007
13 [or: _____]
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15 New date for Initial Case Management
16 Conference, in Courtroom 2, 17th Floor
17 at 1:30 p.m. January 4, 2008 at 1:30 p.m.
18 [or: _____]
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JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE